

REMARKS

Claims 9-44 were presented for examination and claims 9-44 were rejected. In the current amendment, claims 14 and 32 have been cancelled, claims 9 and 27 amended and claims 45-56 added. No new matter has been introduced. Upon entry of the current amendment, claims 9-56 will be presented for examination, of which claims 9, 27, 45 and 51 are independent. Applicants submit that claims 9-56 are in condition for allowance.

The following comments address all stated grounds of rejection. Applicants respectfully traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

Examiner Interview

Applicants and their attorney thank the Examiner for the interview on September 15, 2009. The Examiner and Applicants' attorney discussed the subject matter of dependent claims 14 and 17 and came to agreement on the allowability of such subject matter.

CLAIM REJECTIONS UNDER 35 U.S.C. §103**I. Claims 9-13, 21, 24-31, 39 and 42-44 Rejected Under 35 U.S.C. §103**

Claims 9-13, 21, 24-31, 39 and 42-44 are rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 5,852,717 to Bhide ("Bhide") in view of RFC 2616, Fielding et al. ("Fielding"). Claims 9 and 27 are amended independent claims. Claims 10-13, 21 and 24-26 depend on and incorporate all the patentable subject matter of independent claim 1. Claims 30, 31, 39 and 42-44 depend on and incorporate all the patentable subject matter of independent claim 27. Applicants respectfully traverse this rejection and submit that Bhide and Fielding, alone or in combination, fail to teach or suggest each and every element in the claimed invention.

A. Amended Independent Claims 9 and 27 Patentably Distinguished over Bhide and Fielding

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Amended independent claims 9 and 27 are directed towards pooling a transport layer connection on a server. These claims recite transmitting, by the interface unit, the first request via the second transport layer connection and prior to receiving, by the interface unit, one of a finish command or a reset command from the second client. Bastra fails to disclose, teach or suggest each and every element of independent claims 9 and 27, as amended. Bhide and Fielding, alone or in combination, fail to disclose, teach or suggest each and every element of independent claims 9 and 27.

Bhide in combination with Fielding does not teach or suggest transmitting, by the interface unit, the first request via the second transport layer connection and prior to receiving, by the interface unit, one of a finish command or a reset command from the second client. The combination of Bhide and Fielding fails to teach or suggest such a feature. Thus, Bhide and Fielding fails to teach or suggest each and every element of the claimed invention.

Because Bhide and Fielding, alone or in combination, fails to disclose, teach or suggest each and every feature of the claimed invention, Applicants submit independent claims 9 and 27 are patentable and in condition for allowance. Claims 10-13, 21 and 24-26 depend on and incorporate all the patentable subject matter of independent claim 9, and claims 30, 31, 39 and 42-44 depend on and incorporate all the patentable subject matter of independent claim 27. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 9, 10-13, 21, 24-26, 27, 30-31, 39 and 42-44 under 35 U.S.C. §103.

II. Dependent Claims 14, 15, 16, 17, 18, 19, 22, 23, 32, 35, 40 and 41 Rejected Under 35 U.S.C. §103

Claims 14, 22, 23, 32, 40 and 41 are rejected under 35 U.S.C. §103 as unpatentable over Bhide and Fielding in view of U.S. Patent No. 6,163,812 to Gopal et al. ("Gopal"). Claim 14 has been cancelled, thereby mooted this rejection with respect to the claims. Claims 15 and 16 are rejected under 35 U.S.C. §103 as unpatentable over Bhide and Fielding. The Examiner rejected claims 16, 18, 19, 33, 34, 36 and 37 for the same reasons as claim 15. Claim 17 is rejected as unpatentable over Bhide in view of Applicants' specification. Claims 14-19, 22 and 23 depend on and incorporate all the patentable subject matter of amended independent claim 1. Claims 32, 35, 40 and 41 depend on and incorporate all the patentable subject matter of amended independent claim 27. Applicants traverse these rejections and submit that Bhide, Gopal and Fielding, alone or in combination, fail to teach or suggest each and every element of the claimed invention.

For the reasons discussed above in connection with the rejection of independent claims 9 and 27 under 35 U.S.C. §103, Applicants submit that independent claims 1 and 27 are patentable over Bhide and Fielding. As with Bhide and Fielding, Gopal does not teach or suggest transmitting, by the interface unit, the first request via the second transport layer connection and prior to receiving, by the interface unit, one of a finish command or a reset command from the second client. Thus, Gopal, Fielding and Bhide, alone or in combination, fail to detract from the patentability of dependent claims 15, 16, 17, 18, 19, 22, 23, 32, 35, 40 and 41. Accordingly, Applicants request the Examiner to withdraw the rejection of dependent claims 15, 16, 17, 18, 19, 22, 23, 32, 35, 40 and 41 under 35 U.S.C. §103.

PATENTABILITY OF NEW CLAIMS

Claims 45 to 56 have been added. Claims 45 and 51 are independent claims. Claims 46 to 50 depend on and incorporate all the patentable subject matter of independent claim 45. Claims 52 to 56 depend on and incorporate all the patentable subject matter of independent claim 51. These claims are directed to determining, by the interface unit, from monitoring application layer data of network traffic received by the interface unit that the second client and the server have not completed a transfer of a last byte of data of a response to the first request via the second transport layer connection in response to receiving a third request from one of the first client or the second client to access the server. Applicants submit that the combination of Bhide and Fielding fails to teach or suggest each and every element in the claimed invention. Therefore, Applicants submit that claims 45 to 56 are patentable and in condition for allowance.

CONCLUSION

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiners rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

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